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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/996,298	11/28/2001	Akira Unosawa	4110/OK066	4018

7590

02/11/2003

DARBY & DARBY
805 Third Avenue
New York, NY 10022

EXAMINER

BLAU, STEPHEN LUTHER

ART UNIT

PAPER NUMBER

3711

DATE MAILED: 02/11/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
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A.K.

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09/996,298

11/28/01

Akira Uenosawa

4110/010066

EXAMINER

Blau

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Commissioner of Patents and Trademarks

The attached is a Notice of Non-Responsive Amendment. Applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply.

DETAILED ACTION

1. The timely submission under 37 CFR 1.129(a) filed on 6 January 2003 is not fully responsive to the prior Office action because it did not disclose the claims which read on the species elected. MPEP article 809.02(a) states that for a election requirement reply to be complete a proper election along with a listing of all claims readable thereon should be included. Since the submission appears to be a *bona fide* attempt to provide a complete reply to the prior Office action, applicant is given a shortened statutory period of ONE MONTH or THIRTY DAYS from the mailing date of this letter, whichever is longer, to submit a complete reply. This shortened statutory period supersedes the time period set in the prior Office action. This time period may be extended pursuant to 37 CFR 1.136(a). If a notice of appeal and the fee set forth in 37 CFR 1.17(e) were filed prior to or with the payment of the fee set forth in 37 CFR 1.17(r), the payment of the fee set forth in 37 CFR 1.17(r) by applicant is construed as a request to dismiss the appeal and to continue prosecution under 37 CFR 1.129(a). The appeal stands dismissed.

Response to Arguments

2. The argument that searching claims 1-45 would develop the prior art relevant to claims 46-49 is disagreed with. Claim 1 requires a shaft to be formed with a metal wire layer. Claim 46 is a method of forming a shaft which does not claim a metal wire layer.

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This results in having to search subclasses of method steps for shafts which do not contain metal. As such the restriction requirement stands.

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Steve Blau whose telephone number is (703) 308-2712. The examiner is available Monday through Friday from 8 a.m. to 4:30 p.m.. If the examiner is unavailable you can contact his supervisor Paul Sewell whose telephone number is (703) 308-2126. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0858.

Slb 6 February 2003


STEPHEN BLAU
PRIMARY EXAMINER